



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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MAILED

JUN 10 2003

DIRECTOR'S OFFICE  
TECHNOLOGY CENTER 3800

In re Application of :  
Anadish Kumar Pal : DECISION ON PETITION  
Application No. 09/781,090 : TO WITHDRAW THE  
Filed: January 12, 2001 : HOLDING OF ABANDONMENT  
For: TWO-WHEEL ELECTRIC MOTOR  
VEHICLE WHERE WHEELS ARE  
PARALLEL TO EACH OTHER, WITH A  
PROVISION FOR CONNECTING TWO  
OR MORE SUCH VEHICLES IN  
TANDEM BEING STEERED BY THE  
FRONT ONE

This is in response to applicant's renewed petition to withdraw the holding of abandonment filed in the United States Patent and Trademark Office (USPTO), on March 13, 2003.

The petition is **DISMISSED**, pending submission of a renewed petition.

A review of the file record indicates that the application was held abandoned for failure to respond to the Office action dated January 15, 2002.

Applicant filed a petition to withdraw the holding of abandonment on September 24, 2002 alleging that the Office action dated January 15, 2002 was not received. That petition was dismissed in a decision mailed on January 30, 2003 wherein it was held that the petition lacked the necessary evidence to show that the Office action was not received.

The renewed petition states "[i]n the fall of 2001, the petitioner's locality people were informed about the change of PIN code for their locality by the local postal-service people." The renewed petition includes a change of correspondence address indicating a change in the PIN code to 110088. However, applicant failed to state, as to what date, the change in PIN code was effective. Thus it is uncertain if the Office action of January 15, 2002 was sent to a correspondence address which required updating.

While MPEP 711.03(c) does give an applicant the ability to petition to show that a communication from the Patent Office was not received, this is predicated on the fact that applicant **was at** a correctly updated correspondence address to receive the communication. MPEP 711.03(c) requires an applicant to show that "due care was taken to adhere to the requirement for prompt notification in each concerned application for the change of address".

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.181."

Correspondence with respect to a Petition to Withdraw the Holding of Abandonment should be mailed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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SM/tpl: 6/3/03